



The Commonwealth of Massachusetts

Office of Campaign & Political Finance

One Ashburton Place, Boston 02108

727-8352

*Dennis J. Duffin
Director*

March 14, 1986

AO-86-07

Mr. John D. O'Brien, Treasurer
The Patricia McGovern Committee
7 Serenity Lane
Andover, MA 01810

Dear Mr. O'Brien:

This is in response to your recent request for an advisory opinion concerning the application of M.G.L. c. 55, the campaign finance law, to certain travel related expenditures, contemplated by the McGovern Committee.

You state that because Senator McGovern does not drive, constituents, and more frequently staff members are called upon to drive Senator McGovern on various occasions. You inquire as to whether the McGovern Committee may reimburse the driver, at twenty cents per mile, when Senator McGovern is driven to an event before and/or after the regular work day and that event is of a political nature.

The campaign finance law, and rules promulgated thereunder, regulate expenditures by political committees. There are several sections of the rules which refer to travel expenses. 970 CMR 2.05 (2) (j) provides that a political committee may make expenditures for

"The reasonable travelling expenses for the candidate, speakers, and other agents of the committee, which may include the leasing of a car for campaign related travel, subject to the following:

1. Expenses are relative to a political activity or function, the direct purpose of which is to solicit votes or contributions;
2. All activities held and expenses incurred under this division must be within the Commonwealth of Massachusetts."

In addition, 970 CMR 2.05 (2) (1) provides that political committees may make expenditures for:

"(1) Reasonable travel and related expenses for a candidate and agents of a political committee in connection with meetings, conferences or conventions, provided that the issues with which any such meeting, conference or convention is concerned are within the scope of that person's direct and substantial responsibilities as a candidate or agent of the committee, and whose subject matter is related to at least one (1) of the following:


1. party politics;

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2. campaigning for votes;
3. fundraising;
4. substantive issues which are directly related to the campaign of the candidate."

In my opinion, the travel expenses, and the reimbursement amount itself which you have proposed are reasonable and permitted by these regulations. Therefore, the McGovern Committee may expend funds for reimbursement, at twenty cents per mile, for the travel expenses you have described.

Very truly yours,


Dennis J. Duffin
Director

DJD/rep